

Notice of Allowability

Application No.

10/668,504

Examiner

Mr. Terry K. Cecil

Applicant(s)

BARNES, RONALD L.

Art Unit

1723

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the telephone interview of 3-3-2006.
2. ☒ The allowed claim(s) is/are 1-15 are allowed which will remain as numbered.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 0306.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Note: Claims 1-15 are allowed and will remain as numbered upon allowance.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee. Authorization for this examiner's amendment was given in a telephone interview with M. Clodfelter on 3-3-2006.

2. The application has been amended as follows:

- Claim 1 has been amended as follows:

—1. (currently amended) A water sanitizing apparatus comprising:

a body containing a series of vertical, water-carrying tubes ~~circularly~~ circumferentially arranged around a hollow central region,

a base for said body,

a top cap for said body, said base and said top cap configured to channel a flow of water through said water-carrying tubes so that said flow of water is alternately upward and downward through said water-carrying tubes, with a last of said tubes channeling said flow of water into said hollow central region,

a bubble separator in said hollow central region and configured for removing gases from said flow of water,

an ozone generator in said hollow central region, and

Art Unit: 1723

a mixing device coupled to provide ozone from said ozone generator to said flow of water.—

- Claim 9 has been amended as follows:

—9. (currently amended) An assembly for purifying water for spas, hot tubs, swimming pools and the like comprising:

an extruded body having a plurality of vertical, elongated water- carrying channels circumferentially arranged around a central region,

a top cap and a base for said body, said top cap and said base cooperating between a water inlet and a water outlet to develop a water flow through said water-carrying channels that alternates in upward and downward directions between adjacent said water-carrying channels and into a compartment defined by said central region where water flows last before flowing through said water outlet,

~~An an~~ an ozone generator mounted in ~~a last of said water-carrying channels~~ said compartment,

a bubble separator mounted in said ~~last of said water-carrying channels~~ compartment, and

a mixing device mounted in said water inlet to receive said water flow, and coupled to said ozone generator for mixing at least ozone in said water flow.—

- Claim 13, line 5, “water carrying channels” has been replaced with —compartment—.
- Claim 15, line 2, “water carrying channels” has been replaced with —compartment— and in line 4, “water carrying channels receive” has been replaced with —compartment receives—.

Art Unit: 1723

- In the abstract, line 2, “circularly” has been replaced with —circumferentially—, line 6, “seperator” has been replaced with —separator— and at the end of the abstract, the “,” has been replaced with —.—.
- The TITLE has been changed to — WATER PURIFYER WITH EXTRUDED BODY HAVING CIRCUMFERENTIALLY ARRANGED TUBES—.
- Specification, page 1, line 12, “circularly” has been replaced with —circumferentially—;
- Specification, page 13, line 22, “circularly” has been replaced with —circumferentially—.
- Specification, page 7, line 8, the following has been added:
—Fig. 10 is a view of the venturi.—
- Specification, page 17, line 18, has been amended as follows: —that described in Applicant’s ~~pending~~ application 09/717,903, filed 11/20/2000, now U.S. Patent 6,428,756 wherein—.

Required Drawing Changes

3. The following changes to the drawings have been approved by the examiner and agreed upon by applicant: applicant will provide proper formal drawings including figures 1-10. In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

Reasons for Allowance

4. The following is an examiner's statement of reasons for allowance:
- The closest cited art—EP 0269941A1 and Taylor et al. (U.S. 5,766,490)—fail to anticipate or render obvious, alone or in any proper combination, the vertical tubes of the body circumferentially-arranged around a hollow central region, wherein the region (i) receives the flow of water from the last of the tubes and (ii) includes the bubble separator and the ozone generator therein—within the apparatus of claim 1.
 - The aforementioned closest cited art also fails to anticipate or render obvious, alone or in any proper combination, the vertical elongated channels of the extruded body circumferentially-arranged around a central region, wherein the region defines a compartment that (i) receives the flow of water lastly before the water exits via the water outlet and (ii) includes the bubble separator and the ozone generator—within the apparatus of claim 9.


Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee.

Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Art Unit: 1723

5. Contact Information:

- Examiner Mr. Terry K. Cecil can be reached at (571) 272-1138 at the Carlisle campus in Alexandria, Virginia for any inquiries concerning this communication or earlier communications from the examiner. Note that the examiner is on the increased flextime schedule but can normally be found in the office during the hours of 8:30a to 4:30p, on at least four days during the week M-F.
- Wanda Walker, the examiner's supervisor, can be reached at (571) 272-1151 if attempts to reach the examiner are unsuccessful.
- The Fax number for this art unit for official faxes is (571) 273-8300.
- Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Mr. Terry K. Cecil
Primary Examiner
Art Unit 1723

TKC
March 3, 2006